

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

VS.

ROBERTO CERVANTES-ZAVALA and CARLOS
RAMOS

Defendant.

8:17CR127

ORDER

This matter is before the court on the Defendant Ramos' Motion to Continue Trial [36]. Counsel is in on-going plea negotiations with the government and seeks additional time to resolve this matter. Defendant has complied with NECrimR 12.1(a). For good cause shown,

IT IS ORDERED that the defendant's Motion to Continue Trial [36] is granted as follows:

1. The jury trial, **as to both defendants**, now set for October 31, 2017 is continued to **December 5, 2017**.
2. The defendant has filed an affidavit required by paragraph 9 of the progression order and NE.CrimR 12.1(a) forthwith.
3. In accordance with 18 U.S.C. § 3161(h)(7)(A), the court finds that the ends of justice will be served by granting this continuance and outweigh the interests of the public and the defendant in a speedy trial. Any additional time arising as a result of the granting of this motion, that is, the time between **today's date and December 5, 2017** shall be deemed excludable time in any computation of time under the requirement of the Speedy Trial Act. Failure to grant a continuance would deny counsel the reasonable time necessary for effective preparation, taking into account the exercise of due diligence. 18 U.S.C. § 3161(h)(7)(A) & (B)(iv).

Dated this 26th day of October, 2017.

BY THE COURT:

s/ Michael D. Nelson
United States Magistrate Judge